

Absent—excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.
 Absent, not excused.
 Shelburne. Stafford.

AFTERNOON SESSION.

Senate met pursuant to adjournment.
 Lieutenant Governor Jester in the chair.
 Roll called. No quorum present, the following Senators answering to their names:

Agnew. Harrison.
 Beall. McKinney.
 Boren. Presler.
 Bowser. Sherrill.
 Colquitt. Simpson.
 Darwin. Steele.
 Dibrell. Tips.
 Gage. Woods.
 Goss.

Absent, excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.

Absent, not excused.
 Bailey. McComb.
 Dean. Shelburne.
 Greer. Stafford.
 Lawhon.

Senator Beall moved a call of the Senate, which was ordered, the following Senators answering to their names:

Agnew. Harrison.
 Beall. McKinney.
 Boren. Presler.
 Bowser. Sherrill.
 Darwin. Simpson.
 Dibrell. Steele.
 Gage. Tips.
 Goss. Woods.

Absent, excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.

Absent, not excused.
 Bailey. Lawhon.
 Colquitt. McComb.
 Dean. Shelburne.
 Greer. Stafford.

Senator Simpson moved to adjourn to 9:30 a. m. tomorrow.

Lost.

Senator Stafford was announced.

Senator Simpson moved to adjourn to 10 a. m. tomorrow.

Lost by the following vote:

Yeas—8.
 Boren. Presler.
 Colquitt. Sherrill.
 Darwin. Simpson.
 Harrison. Stafford.

Nays—10.
 Agnew. Goss.
 Beall. McKinney.
 Bowser. Steele.
 Dibrell. Tips.
 Gage. Woods.

Absent, excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.
 Absent—not excused.
 Bailey. Lawhon.
 Dean. McComb.
 Greer. Shelburne.

Senator Simpson moved to adjourn to 10:05 a. m. tomorrow.

Lost by the following vote:

Yeas—8.
 Agnew. McKinney.
 Colquitt. Presler.
 Darwin. Simpson.
 Harrison. Stafford.

Nays—10.
 Beall. Goss.
 Boren. Sherrill.
 Bowser. Steele.
 Dibrell. Tips.
 Gage. Woods.

Absent, excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.

Absent—not excused.
 Bailey. Lawhon.
 Dean. McComb.
 Greer. Shelburne.

On motion of Senator Colquitt, the Senate adjourned to 9 a. m. tomorrow by the following vote:

Yeas—10.
 Agnew. Presler.
 Colquitt. Sherrill.
 Darwin. Simpson.
 Harrison. Stafford.
 McKinney. Woods.

Nays—8.
 Beall. Gage.
 Boren. Goss.
 Bowser. Steele.
 Dibrell. Tips.

Absent, excused.
 Atlee. Rogers.
 Dickson. Smith.
 Lewis. Whitaker.

Absent, not excused.
 Bailey. Lawhon.
 Dean. McComb.
 Greer. Shelburne.

SIXTY-NINTH DAY.

Senate Chamber,
 Austin, Texas, April 2, 1895.

Senate met pursuant to adjournment.
 Lieutenant Governor Jester in the chair.

Roll called. No quorum present, the following Senators answering to their names:

Agnew. Greer.
 Bailey. Harrison.
 Bowser. Lawhon.
 Darwin. McKinney.
 Gage. Shelburne.

Sherrill,
Simpson,

Steele,
Woods.

Absent, excused.

Atlee,
Rogers,

Smith,
Whitaker.

Absent, not excused.

Beall.
Boren.
Colquitt,
Dean,
Dibrell.
Dickson,

Goss,
Lewis,
McComb,
Presler,
Stafford,
Tips.

On motion of Senator Shelburne, the Senate took a recess till 9:30.

AFTER RECESS.

Roll called, quorum present, the following Senators answering to their names:

Agnew,
Bailey,
Beall,
Bowser,
Colquitt,
Darwin,
Dean,
Dibrell,
Gage,
Goss,
Greer,

Harrison,
Lawhon,
McKinney,
Shelburne,
Sherrill,
Simpson,
Stafford,
Steele,
Tips,
Woods.

Absent, excused.

Atlee,
Rogers.

Smith.
Whitaker.

Absent, not excused.

Boren,
Dickson,
Lewis,

McComb,
Presler.

Prayer by Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Dean, the same was suspended.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 197, being "An Act to sanction, ratify and confirm the title of the Texas and New Orleans Railroad Company to the railroad and to all the corporate rights, franchises and privileges of the Sabine and East Texas Railway Company, and to authorize the Texas and New Orleans Railroad Company to purchase, own, possess and operate the railroad, and to purchase, own and exercise all the corporate rights,

franchises and privileges of the Louisiana Western Extension Railroad Company, and to authorize said Texas and New Orleans Railroad Company to own and operate said Sabine and East Texas Railway and said Louisiana Western Extension Railroad as part of its line,"

And find same correctly enrolled, and have this day, at 12:45 p. m., presented the same to the Governor for his approval.
GREER, Chairman.

Committee Room,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 285, being a bill entitled "An act to amend article 3232 of the Revised Civil Statutes of the State of Texas, as amended by the Twenty third Legislature, approved March 29, 1893, relating to Local option,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Finance, to whom was referred

Senate bill No. 260, being a bill entitled "An act to provide for the rendition and assessment for taxes of the property of railroad companies situated in this State, and to repeal all laws in conflict therewith, and to prescribe the duty of the Railway Commission with reference thereto,"

Have had the same under consideration, and I am instructed by a majority of said committee to report the same back to the Senate with the recommendation that it do not pass.

TIPS, Chairman.

Committee Room,
Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 49, being "An act to give jurisdiction to the several Courts of Civil Appeals over cases transferred from one of such courts to another under the direction of the Supreme Court, and providing for the transfer of such cases,"

And find the same correctly engrossed.
BAILEY, Chairman.

Committee Room,
Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 141, being "An act to amend chapter 3 of title 38 of the Revised Civil Statutes of the State of Texas, by adding thereto article 2239a, relating to the deposition of parties,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 191, being "An act to amend sections 38, 103, 105, 106, and 138 of an act entitled 'An act to incorporate the city of Fort Worth, and to grant a charter to said city,' approved March 20, 1889, and sections 6, 7, 29, 34, 88, and 102 of said act as amended by the Twenty-second Legislature in 1891, and to add thereto sections 35a, 35b, 101a, 101b, 101c, 101e, 102a, 103a, 104a, 106a, 106d, and also 105a, 105b, 105c, in reference to the board of equalization, and providing for an appeal from said board to the district court,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Substitute Senate bill No. 169, being "An act to amend articles 351, 352, 353, and 354 of the Penal Code of the State of Texas, relating to lotteries and raffles,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 131, being "An act to amend section 12 of chapter 122 of the General Laws of the State of Texas, being 'An act to provide for a more efficient system of public free schools for the State of Texas,' etc., approved May 20, 1893,"

And find the same correctly engrossed.

GAGE, Acting Chairman.

HOUSE MESSAGE.

House of Representatives,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following bills, to-wit:

Substitute House bill No. 556, "An act to provide for levying a tax on the occupation of selling or offering for sale the "Sunday Sun," the "Kansas City Sunday Sun," or other publications of like character, whether illustrated or not."

Passed by the following vote: Ayes 78, nays 11.

House bill No. 579, "An act to restore and confer upon the county court of Camp county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general laws of the State, and to conform the jurisdiction of the district court of said county to said changes, and to repeal all laws and parts of laws in conflict herewith."

Passed by a two-thirds vote—ayes 86, nays, none.

Also that the house has granted the request of the Senate for free conference committee on Senate bill No. 95, and Messrs. Turney, Mills, Townsend of Angelina, and Plemmons have been appointed on said committee on part of the House.

Respectfully,
CHESTER HAILE, Chief Clerk.

BILLS AND RESOLUTIONS.

By Senator Gage:

A bill to be entitled "An act to require corporations, persons or associations of persons that issue time checks or other evidence of indebtedness for labor performed to make the same payable in coin or legal tender currency, and to prescribe a penalty for a violation hereof."

Read first time and referred to Judiciary Committee No. 2.

By Senator Woods:

A bill to be entitled "An act to amend title 93, articles 4604, 4605, 4606, and 4607 of an act to prevent certain animals from running at large in counties and subdivisions and defining lawful fences, and by adding to said act articles 4604a, 4607b, 4607c, 4607d, 4607e, 4607f, 4607g, and article 4611."

Read first time and referred to Committee on Agricultural Affairs.

Call concluded.

Senator Bailey called up House Concurrent Resolution No. 26, "Providing for the appointment of a committee to decide upon the advisability of moving

the archives, etc., of the General Land Office to the State Capitol building, and moved its adoption.

Adopted.

Senator Agnew called up

House concurrent resolution No. 28:

Resolved by the House of Representatives, the Senate concurring, That two days in each week, to-wit: Monday and Thursday, be set apart for the consideration by each house of bills coming from the other house, and on such days only such bills shall be considered so long as there are any such on either second or third reading upon the table of the President of the Senate or Speaker of the House of Representatives,

And moved its adoption.

Adopted.

PENDING BUSINESS.

The Chair laid before the Senate

Senate bill No. 179, a bill entitled "An act to provide for the issuance of attachments for witnesses in felony cases to counties other than those in which the trial is had, and to provide for the payment of the expenses of such witnesses."

On motion of Senator Simpson regular order was suspended to take up

Senate bill No. 247, being a bill to be entitled "An act providing for the amendment of article 2971 of the Revised Statutes of the State of Texas, and to substitute in lieu thereof the bill."

Bill read second time, with committee amendments.

Senator Bowser moved to postpone till next Tuesday.

Lost by the following vote:

Yeas—8.

Bowser,	McKinney,
Dibrell,	Sherrill.
Goss.	Stafford,
Lawhon,	Woods.

Nays—13.

Agnew,	Harrison,
Bailey,	Lewis,
Colquitt,	Shelburne,
Darwin,	Simpson,
Dean,	Steele,
Gage,	Tips.
Greer,	

Absent, excused.

Atlee.	Smith.
Rogers,	Whitaker,

Absent, not excused.

Beall,	McComb,
Boren,	Presler.
Dickson.	

Committee amendment lost by the following vote:

27—Senate

Yeas—10.

Bailey,	Greer,
Colquitt,	Lewis,
Dean,	Shelburne,
Gage,	Simpson,
Goss,	Tips.

Nays—12.

Agnew,	Lawhon,
Boren.	McKinney,
Bowser,	Sherrill,
Darwin,	Stafford,
Dibrell,	Steele.
Harrison,	Woods.

Absent, excused.

Atlee,	Smith,
Rogers,	Whitaker.

Absent, not excused.

Beall,	McComb,
Dickson.	Presler.

The bill failed on final passage by the following vote:

Yeas—7.

Bailey,	Shelburne,
Colquitt,	Simpson,
Dean.	Tips.
Lewis,	

Nays—14.

Agnew,	Harrison,
Boren.	Lawhon,
Bowser,	McKinney,
Darwin,	Sherrill,
Dibrell,	Stafford,
Gage,	Steele.
Goss,	Woods.

Absent, excused.

Atlee,	Smith.
Rogers,	Whitaker.

Absent, not excused.

Beall,	McComb,
Dickson,	Presler.
Greer,	

Senator Goss sent up the following free conference committee report, and moved its adoption:

Committee Room,

Austin, Texas, April 1, 1895.

Hon. Geo. T. Jester, President of the Senate, and Hon. T. S. Smith, Speaker of the House:

Your free conference committee to whom was referred Senate bill No. 95, beg leave to submit the following report:

We recommend—

First. That the House adhere to all its amendments and the Senate concur therein.

Second. That the last sentence of section 14 be stricken out.

Third. That section 19 be amended

by striking out all after the word ' sections' in line 9 on page 13 down to and including the word "goats" in line 21.

GOSS,
DEAN,
McCOMB,
PRESLER,

On part of the Senate.

TURNER,
MILLS,
TOWNSEND,
PLEMMONS,

On part of the House.

Adopted.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 240, being "An act to amend subdivision (a) of section 22 of the act passed by the Twenty-second Legislature of the State of Texas, entitled 'An act to establish a Railroad Commission for the State of Texas, whereby discrimination and extortion in railroad charges may be prevented and reasonable freight and passenger tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the Commission and the railroads, and afford railroad companies and other parties adequate remedies; to prescribe penalties for the violation of this act, and to provide means and rules for its enforcement,' approved April 8, 1891."

And find the same correctly engrossed.

COLQUITT, Acting Chairman.

Committee Room,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 276, being "An act to amend section 3 of an act approved February 6, 1891 (being chapter 3 of the Acts of the regular session of the Twenty-second Legislature), in relation to the jurisdiction of the Seventeenth and Forty-eighth Judicial Districts,"

And find the same correctly engrossed.

COLQUITT, Acting Chairman.

Committee Room,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 166, being "An act to amend section 1 of an act of the Twenty-

third Legislature of the State of Texas, entitled 'An act to amend section 1 of an act entitled an act to amend section 46, chapter 25, of the Acts of 1885, entitled an act to amend chapter 79 of the Acts of 1883, entitled an act to amend chapter 48 of the Acts of 1887, an act to amend section 46 of an act to encourage stockraising and to protect stockraisers, approved April 22, 1879, and amended April 4, 1881, and April 12, 1880, and March 27, 1887, and March 29, 1889, and amended March 23, 1891, April 15, 1891, and March 29, 1893,' approved May 11, 1893, so as to exempt Wilson, El Paso, Atascosa, Guadalupe, Gillespie, Baylor and Knox counties from the operation of the stock inspection law, and to provide for the election of an inspector of hides and animals in the counties of Cameron, Hidalgo, Starr, Zapata, Webb and Encinal,"

And find the same correctly enrolled, and have this day, at 10:30 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 68, being "An act to amend articles 4684, 4710, chapters 2 and 3, title 95, of the Revised Civil Statutes of the State of Texas, relating to the levy and payment of taxes,"

And find the same correctly enrolled, and have this day at 10:30 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 15, being "An act to provide for the creation of life and accident insurance companies in this State, and for the regulation thereof, and to repeal all laws and parts of laws in conflict therewith,"

And find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 286, being a bill to be entitled "An act to amend title 93, articles 4604, 4605, 4606, and 4607 of an act

to prevent certain animals from running at large in counties and subdivisions and defining lawful fences, and by adding to said act articles 4604a, 4607b, 4607c, 4607d, 4607e, 4607f, 4607g, and article 4611."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STEELE, Acting Chairman.

HOUSE MESSAGE.

House of Representatives,
Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has adopted the following resolution, to-wit:

Committee substitute for House concurrent resolution No. 22, "authorizing and instructing the State Board of Public Printing to dispose of the property comprising what is known as the State printing office."

Also, that the House has adopted the report of the free conference committee on Senate bill No. 95.

Respectfully,
CHESTER HAILE, Chief Clerk.

MESSAGE FROM THE GOVERNOR.

Executive Office, State of Texas,
Austin, April 2, 1895.

To the Senate:

The advice and consent of the Senate is respectfully asked to the following appointments:

Pilot commissioners at the mouth of the Brazos: P. F. Combs, W. M. Wolcott, J. T. Dingle, S. H. Hudgins, A. D. DuVal. C. A. CULBERSON.

The Chair gave notice of signing, and did sign after the captions had been read,

Senate bill No. 166, entitled "An act to amend section No. 1 of an act entitled an act to amend section 46, chapter 25, of the acts of 1885, entitled an act to amend chapter 79 of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887, an act to amend section 46 of an act to encourage stockraising and to protect stockraisers, approved April 22, 1879, and amended April 12, 1880, April 4, 1881, March 27, 1887, March 29, 1889, March 23, 1891, April 15, 1891, and March 29, 1893, so as to exempt Wilson county from the operation of the stock inspection law."

Senate bill No. 68, being "An act to amend articles 4684, 4710, chapters 1, 2, and 3, title 95, of the Revised Civil Statutes of the State of Texas, relating to the levy and payment of taxes."

On motion of Senator Tips regular order was suspended to take up, on its third reading,

Senate bill No. 230, a bill entitled "An act to amend an act entitled 'An act to regulate the establishment of quarantine in the State of Texas, and in the counties, cities and towns thereof, and to repeal all laws in conflict herewith,' approved April 29, 1891."

Bill read third time, and passed by the following vote:

Yeas—17.

Agnew.	McKinney,
Bailey.	Presler.
Bowser,	Sherrill,
Colquitt,	Simpson,
Dibrell,	Stafford,
Gage,	Steele,
Goss.	Tips.
Lawhon.	Woods.
Lewis.	

Nays—4.

Darwin,	Harrison,
Dean,	Shelburne.

Absent, excused.

Atlee.	Smith.
Rogers.	Whitaker.

Absent, not excused.

Beall.	Greer.
Boren,	McComb.
Dickson.	

Senator Dibrell entered a motion to reconsider the vote by which Senate bill No. 247 (see caption above) failed on engrossment.

On motion of Senator Steele regular order was suspended to take up

Senate bill No. 131, being a bill to be entitled "An act to amend section 12 of chapter 122 of the General Laws of the State of Texas, being 'An act to provide a more efficient system of public free schools for the State of Texas,' etc., approved May 20, 1893,"

Bill read second time.

By Senator Dibrell:

Amend by striking out "sixteen" in line 19, section 12, and insert in lieu thereof "seventeen;" and strike out in line 18 the word "eight," and insert in lieu thereof "nine."

Adopted by the following vote:

Yeas—16.

Agnew,	Lawhon,
Beall,	Lewis,
Boren,	McKinney,
Bowser,	Presler,
Colquitt,	Shelburne,
Dean,	Simpson,
Dibrell,	Steele,
Greer,	Woods.

Nays—7.

Darwin, Sherrill.
Gage, Stafford,
Goss, Tips.
Harrison,

Absent, excused.

Atlee, Smith,
Rogers, Whitaker.

Absent, not excused.

Bailey, McComb.
Dickson,

Bill ordered engrossed by the following vote:

Yeas—15.

Agnew, McKinney,
Bailey, Presler,
Beall, Sherrill,
Boren, Stafford,
Dean, Steele,
Dibrell, Tips,
Greer, Woods.
Lewis,

Nays—7.

Bowser, Harrison,
Darwin, Shelburne,
Gage, Simpson.
Goss,

Absent, excused.

Atlee, Smith,
Rogers, Whitaker.

Absent, not excused.

Colquitt, Lawhon,
Dickson, McComb.

On motion of Senator Presler, regular order of business was suspended to take up

Senate bill No. 233, a bill entitled "An act to create a State teachers' certificate board, to define the powers and duties of said board, and to repeal all laws and parts of laws in conflict with this act."

Bill read third time.

On final passage, no quorum, the following voting:

Yeas—13.

Agnew, Presler,
Bailey, Sherrill,
Beall, Simpson,
Darwin, Stafford,
Gage, Tips,
Goss, Woods.
Harrison,

Nays—7.

Boren, McKinney,
Dibrell, Shelburne,
Greer, Steele.
Lewis,

Absent, excused.

Atlee, Smith,
Rogers, Whitaker,

Absent, not excused.

Bowser, Dickson,
Colquitt, Lawhon,
Dean, McComb.

Senator Beall moved a call of the Senate, which was duly seconded and ordered, the following Senators answering to their names:

Agnew, Lewis,
Bailey, McKinney,
Beall, Presler,
Boren, Shelburne,
Darwin, Sherrill,
Dibrell, Simpson,
Gage, Stafford,
Goss, Steele,
Greer, Tips,
Harrison, Woods.

Absent, excused.

Atlee, Smith,
Rogers, Whitaker.

Absent, not excused.

Bowser, Dickson,
Colquitt, Lawhon,
Dean, McComb.

Senator Dean was announced.

A quorum was announced.

Senator Simpson entered a motion to reconsider the vote finally passing.

Senate bill No. 15, a bill to be entitled "An act to provide for the creation of life and accident insurance companies in this State, and for the regulation thereof, and to repeal all laws and parts of laws in conflict therewith."

Senator Lewis moved to suspend the call of the Senate.

Suspended.

The bill (Senate bill No. 233, caption above) then passed by the following vote:

Yeas—13.

Agnew, Harrison,
Bailey, Presler,
Beall, Sherrill,
Darwin, Stafford,
Gage, Tips,
Goss, Woods.

Nays—8.

Boren, McKinney,
Dean, Shelburne,
Greer, Simpson,
Lewis, Steele.

Absent, excused.

Atlee, Smith,
Rogers, Whitaker.

Absent, not excused.

Bowser, Dickson,
Colquitt, Lawhon,
Dibrell, McComb.

Senator Pressler moved to reconsider the vote by which the bill was passed and to lay that motion on the table.

Tabled.

The chair announced the following Senators on the joint committee on House concurrent resolution No. 26 (see caption above): Senators Goss and Tips.

On motion of Senator McKinney, regular order was suspended to take up

Senate bill No. 210, a bill entitled "An act for the better protection of the public buildings of the State of Texas."

Bill read second time, and ordered engrossed.

On motion of Senator Sherrill, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—21.

Agnew,	Lewis,
Bailey,	McKinney,
Beall,	Presler,
Boren,	Shelburne,
Darwin,	Sherrill,
Dean,	Simpson,
Dibrell,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Woods.
Harrison,	

Nays—none.

Absent, excused.

Atlee,	Smith,
Rogers,	Whitaker,
Absent, not excused.	
Bowser,	Lawhon,
Colquitt,	McComb.
Dickson,	

Bill read third time, and passed by the following vote:

Yeas—21.

Agnew,	Lewis,
Bailey,	McKinney,
Beall,	Presler,
Boren,	Shelburne,
Darwin,	Sherrill,
Dean,	Simpson,
Dibrell,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Woods.
Harrison,	

Nays—none.

Absent, excused.

Atlee,	Smith.
Rogers,	Whitaker.
Absent, not excused.	
Bowser,	Lawhon,
Colquitt,	McComb.
Dickson,	

Senator Simpson withdrew his motion to reconsider the vote passing Senate bill No. 15.

(Senator Dean in the chair.)

On motion of Senator Bailey regular order was suspended to take up

Senate bill No. 137, a bill entitled "An act to amend sections 6 and 8 to repeal section 9 of an act approved March 30, 1881, entitled 'An act to establish the University of Texas.'"

Bill read third time.

By Senator Beall:

"Sec. 2. The crowded condition of the legislative calendar, and the fact that there is a demand for a more efficient management of the University, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this act take effect from and after its passage, and it is so enacted."

Adopted by the following vote:

Yeas—21.

Agnew,	Lewis,
Bailey,	McKinney,
Beall,	Presler,
Boren,	Shelburne,
Darwin,	Sherrill,
Dean,	Simpson,
Dibrell,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Woods.
Harrison,	

Nays—none.

Absent, excused.

Atlee,	Smith.
Rogers,	Whitaker.
Absent, not excused.	
Bowser,	Lawhon,
Colquitt,	McComb.
Dickson,	

Bill passed by the following vote:

Yeas—21.

Agnew,	Lewis,
Bailey,	McKinney,
Beall,	Presler,
Boren,	Shelburne,
Darwin,	Sherrill,
Dean,	Simpson,
Dibrell,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Woods.
Harrison,	

Nays—none.

Absent, excused.

Atlee,	Smith.
Rogers,	Whitaker.

Absent, not excused.

Bowser, Lawhon,
Colquitt, McComb,
Dickson,

Senator Beall moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

Senator Goss called up Senate bill No. 138, a bill entitled "An act to validate certain titles to lands located by virtue of certificates issued to railroad companies and now owned by purchasers in actual good faith for value, their heirs or assigns, and by actual settlers, or belonging to the public free school, university or asylum funds," with House amendments thereto, and moved that the Senate concur in said amendments.

Concurred.

On motion of Senator Shelburne the regular order of business was suspended to take up

Senate bill No. 177, a bill to be entitled "An act to amend article 391, title 12, of the Penal Code relating to the leaving of dead animals in public roads, etc."

Bill read second time with committee amendments.

Committee amendments adopted.

By Senator Shelburne:

Amend by adding section 2:

"Sec. 2. The near approach of the end of the present session of the Legislature, the crowded condition of the calendar, and the fact that no statute now exists making it any offense for any person to leave the carcass of any dead animal near the private residence or within five hundred yards of any private institution within this State, as is sought in this bill, creates an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days, and said rule is so suspended."

Adopted.

Bill ordered engrossed.

Senator Shelburne moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill put upon its third reading and final passage.

No quorum voting, the following answering to their names:

Agnew, Harrison,
Bailey, Lewis,
Beall, McKinney,
Boren, Shelburne,
Darwin, Sherrill,
Dean, Simpson,
Dibrell, Steele,
Gage, Tips,
Goss, Woods,
Greer,

Absent, excused.

Atlee, Smith,
Rogers, Whitaker.

Absent, not excused.

Bowser, McComb,
Colquitt, Presler,
Dickson, Stafford,
Lawhon,

On motion of Senator Agnew, Senate adjourned to 3 p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment. Lieutenant Governor Jester in the chair.

Roll called. No quorum present, the following Senators answering to their names:

Agnew, Harrison,
Bailey, Lawhon,
Beall, McComb,
Boren, McKinney,
Colquitt, Shelburne,
Darwin, Sherrill,
Dibrell, Simpson,
Gage, Steele,
Goss, Tips,
Greer, Woods.

Absent, excused.

Atlee, Smith,
Rogers, Whitaker.

Absent, not excused.

Bowser, Lewis,
Dean, Presler,
Dickson, Stafford.

Senator Simpson moved that the Senate stand adjourned till tomorrow morning at 10 o'clock.

Lost.

Senator Presler was announced.

Senator Stafford was announced.

Quorum announced present, the following answering to their names:

Agnew, Lawhon,
Bailey, McComb,
Beall, McKinney,
Boren, Presler,
Bowser, Shelburne,
Colquitt, Sherrill,
Darwin, Simpson,
Dibrell, Stafford,
Gage, Steele,
Goss, Tips,
Greer, Woods,

Absent, excused.

Atlee, Smith,
Rogers, Whitaker.

Absent, not excused.

Dean, Lewis,
Dickson,

Senator Simpson moved to recommit to the Committee on State Affairs

House bill No. 55, being a bill to be entitled "An act creating the office of fish and oyster commissioner, and defining his duties."

Recommitted by the following vote:

Yeas—13.

Bailey,	McKinney,
Bowser,	Presler,
Colquitt,	Shelburne,
Darwin,	Simpson,
Dibrell,	Stafford,
Gage,	Steele,
Goss,	Woods.

Nays—8.

Agnew,	Harrison,
Beall,	Lawhon.
Boren,	Sherrill,
Greer,	Tips.

Absent, excused.

Atlee,	Smith,
Rogers,	Whitaker.

Absent, not excused.

Dean,	Lewis,
Dickson,	McComb.

The Chair laid before the Senate

Senate bill No. 238, a bill entitled "An act making appropriations for registered and estimated deficiencies in the appropriations for the State government from March 1, 1893, to February 28, 1895, and for previous years."

Bill read second time with committee amendments.

Committee amendments adopted.

By Senator Tips:

Amend page 1 by inserting between lines 26 and 27 the following:

For salary of porter and custodian of property of Geological survey for twelve months ending February 28, 1895, \$300.

Adopted.

By Senator Tips:

Amend page 2, lines 22 and 23, by striking out "to January 1, 1895, \$1200," and insert in lieu thereof the following: "To February 28, 1895, \$1366.66."

Adopted.

By Senator Greer:

Amend page 2 by inserting between lines 13 and 14 the following: "Salary of stenographer from May 10, 1893, to February 28, 1895, \$1000."

Lost.

By Senator Tips:

Amend page 2 by inserting between lines 23 and 24 the following: "Salary of stenographer from May 10, 1893, to September 1, 1893, at \$100 per month, \$366.67."

Adopted by the following vote:

Yeas—12.

Agnew,	Goss,
Bailey,	Greer,
Beall,	Lawhon.
Bowser,	Sherrill,
Dibrell,	Simpson,
Gage,	Tips.

Nays—9.

Boren,	McKinney,
Colquitt,	Stafford,
Darwin,	Steele,
Dickson,	Woods.

Absent, excused.

Atlee.	Smith,
Rogers,	Whitaker.

Absent, not excused.

Dean,	Presler,
Lewis,	Shelburne.
McComb,	

By Senator Tips:

Amend page 2 by inserting between lines 7 and 8 the following: "Fees of county judges, justices of the peace, sheriffs and constables in examining trials, registered, \$595.81; estimated, \$350."

Adopted.

By Senator Tips:

Amend page 4, line 11, by striking out "\$1463.55," and insert "\$863.55" in lieu thereof.

Adopted.

By Senator Tips:

Amend page 4, line 12, by striking out "\$573.80," and insert "\$656.90" in lieu thereof.

Adopted.

By Senator Tips:

Amend page 4, line 26, by striking out "estimated, \$60," and insert "registered, \$16.35," in lieu thereof.

Adopted.

By Senator Steele:

Amend by striking out lines 21, 22 and 23 on page 2.

Lost.

The bill was ordered engrossed.

The Chair laid before the Senate

House bill No. 316, a bill entitled "An act to fix the rate of taxation on express companies; to prescribe the time and manner of collecting such tax, and provide penalties for violation of this act, and repealing all laws in conflict herewith."

Bill read second time.

Bill passed to a third reading by the following vote:

Yeas—20.

Agnew,	Colquitt,
Bailey,	Darwin,
Beall,	Dibrell,
Boren,	Dickson,
Bowser,	Gage,

Goss,
Harrison,
Lawhon,
McKinney,
Presler,
Sherrill,
Stafford,
Steele,
Tips,
Woods,

Nays—none.

Greer,

Absent, excused.

Atlee,
Rogers,
Smith,
Whitaker,

Absent, not excused.

Dean,
Lewis,
McComb,
Shelburne,
Simpson,

On motion of Senator Steele, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—19.

Agnew,
Bailey,
Beall,
Boren,
Bowser,
Colquitt,
Dibrell,
Dickson,
Gage,
Goss,
Harrison,
Lawhon,
McKinney,
Presler,
Sherrill,
Simpson,
Stafford,
Steele,
Woods.

Nays—3.

Darwin,
Greer,
Tips,

Absent, excused.

Atlee,
Rogers,
Smith,
Whitaker,

Absent, not excused.

Dean,
Lewis,
McComb,
Shelburne,

Bill read third time and passed.

Mr. President: I vote "no" on the engrossment and final passage of House bill No. 316, and now desire to send my reasons for so voting. I am in favor of taxing express companies and all other corporations on all property they own in the State, including money. I doubt the democracy of any income tax, and am sure a gross income tax is populist. A tax on gross receipts, in my opinion, can never be justified in sound justice or reason, for it is a tax on something that the party taxed never owned. A man never owns the gross receipts of any business.

R. A. GREER.

Senator Steele moved to reconsider the vote by which the bill was passed and to lay that motion on the table.

Tabled.

The chair laid before the Senate

House bill No. 383, a bill entitled "An act providing for the assessment of national bank notes and United States treasury notes."

Bill read second time, and passed to a third reading.

On motion of Senator Colquitt, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—22.

Agnew,
Bailey,
Beall,
Boren,
Bowser,
Colquitt,
Darwin,
Dibrell,
Dickson,
Gage,
Goss,
Greer,
Harrison,
Lawhon,
McKinney,
Presler,
Sherrill,
Simpson,
Stafford,
Steele,
Tips,
Woods.

Nays—none.

Absent, excused.

Atlee,
Rogers,
Smith,
Whitaker,

Absent, not excused.

Dean,
Lewis,
McComb,
Shelburne,

Bill read third time.

By Senator Beall:

Amend section 2 by striking out all after the word "State" in line 4.

Lost by the following vote:

Yeas—8.

Bailey,
Beall,
Darwin,
Dibrell,
Harrison,
Lawhon,
Simpson,
Tips,

Nays—13.

Agnew,
Boren,
Bowser,
Colquitt,
Dickson,
Gage,
Goss,
Greer,
McKinney,
Sherrill,
Stafford,
Steele,
Woods.

Absent, excused.

Atlee,
Rogers,
Smith,
Whitaker,

Absent, not excused.

Dean,
Lewis,
McComb,
Presler,
Shelburne,

Senator Beall moved to postpone further consideration of the bill till tomorrow afternoon, and demanded the yeas and nays.

Postponed by the following vote:

Yeas—11.

Beall.	Harrison.
Bowser.	Lawhon.
Darwin.	Sherrill.
Dibrell.	Simpson.
Goss.	Tips.
Greer.	

Nays—10.

Agnew,	McKinney,
Boren.	Presler.
Colquitt.	Stafford.
Dickson.	Steele.
Gage,	Woods.

Absent, excused.

Atlee,	Smith.
Rogers,	Whitaker.

Absent, not excused.

Bailey,	McComb,
Dean,	Shelburne,
Lewis.	

Senator Goss called up

Senate bill No. 77, a bill entitled "An act to amend sections 4, 5, 6 and 16 of an act entitled 'An act to regulate the practice of pharmacy in the State of Texas and providing a penalty for the enforcement of the same,' approved April 6th, 1889,

And withdrew his motion to reconsider the same.

The Chair laid before the Senate,

House bill No. 412, a bill entitled "An act to impose an occupation tax upon general and local agents of life, fire, marine and accident insurance companies doing business in this State."

Bill read second time, with committee amendments.

Committee amendments adopted.

Senator Beall moved to reconsider the vote by which the committee amendments were adopted.

On the question to reconsider there was no quorum voting, the following answering to their names:

Yeas—9.

Beall,	Harrison,
Boren,	Sherrill,
Darwin,	Stafford,
Dibrell,	Woods.
Dickson,	

Nays—10.

Agnew,	McKinney,
Colquitt,	Presler,
Goss,	Simpson,
Greer.	Steele,
Lawhon,	Tips,

Absent, excused.

Atlee,	Smith,
Rogers,	Whitaker,

Absent, not excused.

Bailey.	Lewis.
Bowser.	McComb.
Dean.	Shelburne.

Present, excused.

Gage,

Senator Gage asked to be excused from voting on account of a personal and private interest in the bill.

On motion of Senator Simpson, the Senate adjourned till tomorrow morning at 10 o'clock.

SEVENTIETH DAY.

Senate Chamber,

Austin, Texas, April 3, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew,	Lawhon,
Atlee,	Lewis,
Bailey.	McComb,
Beall.	McKinney,
Bowser,	Presler,
Colquitt,	Shelburne,
Darwin,	Sherrill.
Dean.	Simpson,
Dibrell,	Smith,
Dickson,	Stafford,
Gage,	Steele,
Goss.	Tips.
Greer.	Woods.
Harrison,	

Absent, excused.

Boren,	Rogers.
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Absent, not excused.

Whitaker,

Prayer by the Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Harrison, the same was suspended.

On motion of Senator Boren, Senator Dickson was excused for nonattendance on Tuesday on account of sickness in his family.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Stock and Stock Raising, to whom was referred

House bill No. 629, being a bill to be entitled "An act to amend chapter 73 of the acts of the Twenty-first Legislature of Texas, approved April 6, 1889, to